

**Meeting Summary  
Fort Bragg MLPA Regional Working Group  
October 17, 2002**

**Working Group Members present:** Carson Bell, Richard Charter, Larry Knowles, Steve Lackey, Bill Lemos, Charlie Lorenz, Jim Martin, Renée Pasquinelli, Jim Ponts, Atta Stevenson, Rick Thornton

**Working Group Members absent:** David Colfax, Daniel Platt (proposed alternate was present)

**Department and MLPA Planning Team staff present:** Captain Dennis Davenport, Neil Kalson, John Mello, Fred Wendell

**RESOLVE staff present:** Paul De Morgan

**I. Welcome, Introductions, Proposed Meeting Objectives and Agenda**

The meeting began with the Regional Working Group (RWG) Coordinator, John Mello of the Department of Fish and Game (DFG), welcoming the members and observers.<sup>1</sup> He then asked everyone to introduce themselves. He also informed the group that an additional member, representing Environmental interests, is in the confirmation process.

Paul De Morgan, Senior Mediator with RESOLVE and the RWG facilitator, then briefly reviewed the agenda, describing the meeting purpose and goals, and the handout materials for the members. Mr. Mello noted that members should replace Table 1, Section V, of the RWG binder, with a revised Table 1 provided in their meeting packet and add the Marine Protected Areas and Potential Benefits To Selected Species to Section VIII of the RWG binder.

Mr. De Morgan then offered some preliminary thoughts on meeting process, ground rules (as outlined in Section VII of the draft Operating Principles), and the roles and responsibilities of members, the DFG staff, and the facilitator. He advised members to contact either RESOLVE or DFG if there were any concerns regarding the RWG process.

Mr. De Morgan informed the members that, as a neutral facilitator, he is working for all RWG members and advised members that it is their responsibility to notify RESOLVE staff in case of a problem with the process.

Mr. De Morgan then circulated a roster to the group and asked members to indicate the contact information they wanted made available to the public. He explained that this information will be available on DFG's MLPA website to facilitate interaction with the public. He also noted that a separate roster will be maintained with more complete contact information for internal use by the RWGs only.

Next, a list for members to add information on their proposed alternates was distributed. Mr. De Morgan noted that selecting an alternate was important for members to be represented but also so

---

<sup>1</sup> A proposed alternate, for an absent member, was in attendance and requested a seat at the table. Mr. De Morgan advised the group that alternates have not been formally approved. He then asked the group whether they wanted to ask the alternate to sit at the table to represent his interests, but to do so in a non-voting capacity. The group waited to make a decision until after a break (to allow themselves time to raise issues offline if necessary). No issues or concerns were raised and the individual was asked to sit at the table.

that all the other members have the opportunity to hear from that constituency. Members asked when proposed alternate nominations would be confirmed. Mr. Mello and Fred Wendell, DFG Nearshore Ecosystem Coordinator, indicated they will streamline alternate information for quick review and have decisions made by the next meeting. Mr. Mello added that if members do not yet have a proposed alternate, they should contact him as soon as possible to get them in the process.

## **II. Review of MLPA Regional Working Group Goals, Objectives, Mandates and Responsibilities.**

Mr. Mello presented a brief description of the MLPA goals, guidelines, and requirements, a summary of which was included in the handout materials. This presentation primarily summarized material in Sections 3 and 4 of the Notebook (which he noted had been presented at the July orientation meetings). He recommended that those who did not attend one of the July orientation meetings watch the videotape made of the meeting. He reported that the Department will provide videotapes when requested. Mr. Mello explained that AB 892, which extends the MLPA process by two years, has been signed by Governor Davis and chaptered. As such, the revised deadline for submission of a draft Master Plan to the Fish and Game Commission (Commission) is now January 1, 2005.

In the discussion, members raised questions about Mr. Mello's statement that fisheries management is not the primary purpose of the act given that most of the scientific literature used to support the MLPA relates to fisheries management. Mr. Mello indicated he was referring to the language from the Act and suggested the drafters of the MLPA regard fisheries management as intrinsic to the process but not the primary goal. Mr. Wendell informed the group that the Department is moving toward ecosystem management.

Mr. Mello also outlined the RWG process anticipated to encompass the next two years. Mr. Mello reported that the Department is currently trying to get a resource economist on the Master Plan Team (MPT) and that current MPT members are available to RWGs as informational resources.

Members were concerned with funding for implementation of the MLPA. Mr. Wendell advised the group that the MLPA is an unfunded mandate and that there are currently no budgeted monies for implementation of the plan.

Mr. Mello reported to the group that the book, *California Marine Protected Areas*, by Deborah McArdle is available on request in limited quantities and circulated a roster for those requesting a copy of the book.

## **III. MLPA Regional Working Group Composition**

RWG members were asked to comment on whether the current RWG composition was sufficient to accomplish their goals. In particular, they were asked to assess whether the composition adequately represents the constituent groups of this part of the coast. Mr. De Morgan informed members that they always have the opportunity to recommend adding members to the RWG if

they think it is necessary in order to achieve their mission, but this was an explicit opportunity given that it was their first meeting. He noted that in developing the groups, the DFG had tried to keep them relatively small, to be workable and suggested members therefore consider interest groups in broad categories as opposed to trying to get every possible constituency represented. The group considered a few different areas including: scientific expertise, economic community, and inland users, which are discussed below. In addition, an issue regarding adjacent regions was raised (also discussed below).

*Scientific Expertise:* Some members suggested science needed to be a larger part of the process. As background, Mr. Mello noted that the DFG and the MPT are resources mandated by the MLPA to participate in the process. He added that the group may invite outside sources to present information to the RWG as necessary. One member questioned the impartiality of Department research and suggested that a non-Department science advisor be sought. Members requested an advisor local to the region. Members also suggested scientific information should be available on an ecosystem level versus specific MPA level and that the RWG needed to be given the best possible scientific information available.

Group members also suggested that part of their problem was not clearly understanding the process for developing alternative MPAs. Mr. Wendell briefly described the process, noting that the RWG may submit draft alternatives to the MPT for comment. He also informed the group that the final alternative will be peer reviewed outside the department. Mr. Mello advised the group that continued research is an intrinsic part of the MLPA. Members requested a packet containing baseline information regarding research on MPAs. Mr. Mello informed members that much of the current research in the area is already either in, or referenced in, the binder of information distributed this summer. The idea of developing a way to more clearly describe the interactions of the various groups involved in the process was suggested as well.

After some discussion, Mr. De Morgan identified main points including: incorporate background information on previous attempts to develop MPAs, use local knowledge, incorporate differing perspectives, and consider ecosystem wide complexity. Rather than identifying someone specifically to recommend adding to the table, the group agreed they needed to better understand what is already known about the coast and who knows that information. The group agreed each of them would provide a list of “who knows what” (i.e., available research and information) from a scientific perspective for review by the full group at the next meeting. Members also asked Mr. Mello to determine whether Dr. John DeMartini, a MPT member, would be available to present at a future meeting.

*Economic Community:* Some members suggested that the economic community directly impacted by these decisions needed to be better represented at the table. Specifically, one member requested a fish processing representative be added. While other members recognized this was an important constituency, they felt the current fishing industry representatives should be able to represent these views and that additional members might disrupt the current balance of the group and require even more new members. Members then expressed concerns with the becoming too cumbersome and suggested other avenues such as using guest speakers or creating other opportunities for public involvement.

*Inland User Groups:* Some members suggested they would not be able to represent inland sport divers and anglers, and questioned whether they needed to be added to the group. Based on some of the previous arguments, the group agreed not to try and add someone at present, but did note that they would need to explore other avenues for engaging constituents in the future.

*Adjacent Regions:* One member raised the issue of overlapping regions and migratory species. In particular, he expressed interest in making sure the Ft. Bragg group would be able to discuss issues associated with area north and south of the RWG ‘boundaries’ as delineated thus far. Mr. Mello and Mr. Wendell assured him that was the intention of the DFG. In addition, the group discussed the idea of joint meetings between RWGs. The group also recommended that the maps showing the seven RWGs should have cross-over areas on them (similar to the south coast) to make the idea explicit.

On a more general level, Mr. De Morgan noted that the DFG is considering developing a statewide committee to assist with this issue. Mr. Wendell noted a decision had not been made yet and that DFG would be interested in the RWG member’s thoughts regarding the idea in the future.

*Conclusion:* Group members discussed these different issues and ultimately decided that at this time no new members were needed. They did note, however, that they would need to ensure avenues to engage other constituencies regarding these issues would need to be explored in the future. In addition, they recognized that they have the ability to revisit additional members as necessary.

## **IV. Draft Operating Principles**

Mr. De Morgan introduced the goals of the Operating Principles, advising the group that they are designed to provide a clear sense of the procedures by which the group will govern its discussions, deliberations, and decision-making. The group then proceeded to review the Operating Principles section by section

### **Section I. Purpose of the Marine Life Protection Act Regional Working Groups**

A member remarked that commercial fishing appears to be the primary focus of this Section.

### **Section II. Role of the Regional Working Group Members/Working Group Structure**

Before beginning this section, Mr. De Morgan noted a few factual changes to the text which members incorporated in their drafts.

*This part of Section II was approved by the group.*

#### **Sub-Groups**

Members asked if sub-groups may be created outside of the RWG. Mr. De Morgan indicated that the RWG may ask any party to perform a task or gather information. He recommended that sub-groups include a member to serve as a conduit to the RWG. Members agreed to change the

text of this part to read “this could include non-RWG members however at least one RWG must participate in the sub-group.” Mr. De Morgan informed the group that a redline strikeout Draft Operating Principles will be submitted to the group for review.

### **Master Plan Team**

Members requested copies of the Initial Draft Concepts (IDC). Mr. Wendell stated that the IDC are available as an informational resource but should not be considered a starting point for alternative MPAs.

### **Department of Fish and Game**

Members requested a timeline for the formation of a statewide MLPA committee. One member was concerned that additional committees will result in increased bureaucracy, possibly confounding the RWGs suggestions. The group also asked that the State be very clear on the roles and responsibilities of a statewide committee.

## **Section III. Participation**

*This section was approved by the group.*

## **Section IV. Meetings**

### **Open Meetings**

Members discussed the role of public observers in future meetings, expressing concern that interruption from observers would interrupt the RWG process. The DFG Enforcement representative advised the group that there are legal issues dealing with free speech at public meeting. The group ultimately agreed to have a fifteen minute period for public comment at each meeting. Each member of the public would be allowed two minutes to speak, or less if there is not sufficient time, and be required to submit comments in written form if they are to be considered formally. In addition, the group agreed it would be helpful to have a place for the public to submit written comments at each meeting. Members noted they may ask for flexibility in the amount of public comment allowed for each issue in the future.

### **Agendas**

Mr. De Morgan advised the RWG on the protocol for the creation of the next meetings agenda and the group asked that the following language “At the end of each meeting, there will be an opportunity to identify agenda items for the subsequent meeting.”

## **Section V. Decision-Making and Commitments**

### **Consensus**

Members requested that only one definition of consensus be used and ultimately agreed on ‘agree to’ as opposed to either ‘live with’ or ‘support’. The group was also concerned that the process may be frustrated when consensus is not reached and suggested that the definition of consensus needs to be consistent at all levels of the process. Members agreed that regardless of whether or not consensus is reached, both majority and minority opinions should be recorded and proceed through the process to its completion.

### **Commitments of All Members**

One member proposed Saturday meetings to help defer lost wages and facilitate scheduling. Mr. De Morgan agreed to examine the possibility of scheduling Monday through Saturday.

### **Section VI. Safeguards**

*All parts of Section VI were approved by the group.*

### **Section VII. Process Reminders/Ground Rules**

*All parts of Section VI were approved by the group.*

### **Section VIII. Schedule**

Some members asked that no meetings be scheduled during minus tides during the summer months. Mr. De Morgan advised the group that he must coordinate with the Humboldt/Del Norte group in scheduling the next meeting.

The group asked Mr. De Morgan to incorporate the changes and potential changes in a redline/strikeout form and distribute the results in advance of the next meeting. They agreed to review the document and come prepared to reach closure at the next meeting.

## **V. Learning About Working Group Members' Hopes and Expectations/Developing a Proposed Vision for Marine Resources Within This Region**

RWG members were asked to reflect on two questions that would give them a better understanding of each others interests. The first question was why they agreed to accept their nominations and the second was in two years (i.e., at the conclusion of this process) what would make you glad you participated? Members responded to each question in various ways.

Regarding agreeing to accept their nominations, answers included a desire to develop meaningful conclusions, to represent constituents well, to learn and develop working relationships with a variety of interest groups, and because they have observed changes in the nearshore region in recent history

Member's thoughts on why they would be satisfied at the end of this process included the following: If a reasonable, working alternative was accepted, the ecosystem was in some way protected, the outcome of working together is based on sound decision making, if the product is enforceable and to arrive at a product that will benefit future generations.

## **VI. Next Steps, Meeting Summary, and Acknowledgments**

Mr. De Morgan attempted to schedule the next meeting, however, after the group had communicated their availability, no ideal date immediately became apparent. Mr. De Morgan

informed the group that he needed to confer with Mr. Mello and consider other scheduling issues and would try to send out scheduling information as soon as possible.

The group briefly reviewed the next steps from the meeting, including: approve alternates, fill the open Environmental/Conservation seat by next meeting, send out the edited Draft Operating Principles, send out the meeting summary for commentary, outline a draft agenda for next meeting and organize possible presentations for the next meeting. Finally, group members were reminded they agreed to provide a list of “who knows what” (i.e., available research and information) from a scientific perspective for review by the full group at the next meeting. Members were then asked to propose possible agenda topics for the next meeting, suggestions included:

- Review regional boundaries
- Assess available information
- Review existing MPAs
- Develop Maps with current and proposed regulations
- Receive presentation from Dr. DeMartini?
- Discuss “Who knows what” list
- Review recent PFMC decisions
- Finalize Operating Principles
- Continue discussion of vision/hopes for the future
- Review the DFG Matrix tool and MPT criteria for MPAs
- Develop checklist of missing information

Mr. De Morgan and Mr. Mello thanked members for attending and adjourned the meeting